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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,785	08/04/2003	Dinesh K. Jindal	LUTZ 2 00225 Jindal 3	6876

7590 07/27/2005  
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EXAMINER

LE, DANH C

ART UNIT PAPER NUMBER

2683

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/633,785

Applicant(s)

JINDAL, DINESH K.

Examiner

DANH C. LE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The drawings on 11/13/03 are objected to because on figure 4 should indicate "PRIOR ARTS", number 202 is missing on figure 3 and number 405 is missing on figure 5.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

2. Claims 1-10 are objected to because of the following informalities:

Heading numbers should not show on every line such as 0030 ..etc...

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**3. Claims 1, 3-6, 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niemela (US 2002/0003783) in view of Sugar (US 20050003828) and Spreizer (US 2005/0136832).**

As to claim 1, Niemela teaches in a cellular radio network having a plurality of base stations and a mobile switching center (figure 1B), a method for receiving and transmitting signals, the method comprising:

receiving a plurality of radio signals at different frequencies using a single radio receiver at said base station;

reading, processing and time-multiplexing said signals with a processor (paragraph 0033);

transmitting said time-multiplexed radio signal via a single physical link to a mobile switching center;

demultiplexing said time-multiplexed radio signal into independent radio signals corresponding to said incoming signals at said base station controller with another processor;

processing said independent radio signals with said another processor; and

routing said independent radio signals to the proper end users (136).

Niemela fails to teach scanning said incoming signals and saving said signals to a buffer with a first processor, processing with second processor and demultiplex at the mobile switching center. Sugar teaches scanning said incoming signals and saving said signals to a buffer with a first processor, processing with second processor (paragraph 0040). Spreizer teaches Base station controller locates locally with the mobile switching center (abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Sugar and Spreizer into the system of Niemela in order to store a set of raw digital receiver data as Sugar suggest on paragraph 0040.

As to claim 2, the combination of Niemela, Sugar and Spreizer teaches the method defined in claim 1, the combination fails to teach said cellular radio network comprises a Frequency Division Multiple Access network. However, the examiner takes Official Notice that FDMA is known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of FDMA into the system of Niemela in order to use in a variety of applications.

As to claim 3, the combination of Niemela, Sugar and Spreizer teaches the method defined in claim 1, wherein said cellular radio network comprises a Time Division Multiple Access network (Niemela, paragraph 0027).

As to claim 4, the combination of Niemela, Sugar and Spreizer teaches the method defined in claim 1, wherein said cellular radio network comprises a Global System for Mobile Communications (Niemela, paragraph 0045).

As to claim 5, the combination of Niemela, Sugar and Spreizer teaches the method defined in claim 1, wherein said cellular radio network comprises a Code Division Multiple Access network (Spreizer, paragraph 114).

As to claim 6, the claim is a system claim of claim 1; therefore, the claim is interpreted and rejected as set forth as claim 1.

As to claim 8, the claim is a system claim of claim 3; therefore, the claim is interpreted and rejected as set forth as claim 3.

As to claim 9 the claim is a system claim of claim 4; therefore, the claim is interpreted and rejected as set forth as claim 4.

As to claim 10, the claim is a system claim of claim 5; therefore, the claim is interpreted and rejected as set forth as claim 5.

**4. Claims 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niemela, Sugar (US 20050003828) and Spreizer (US 2005/0136832) in view of Hurtta (US 2004/0157603).**

As to claim 2, the combination of Niemela, Sugar and Spreizer teaches the method defined in claim 1, the combination fails to teach said cellular radio network comprises a Frequency Division Multiple Access network. Hurtta teaches said cellular radio network comprises a Frequency Division Multiple Access network (paragraph 0007). Therefore, it would have been obvious to one of ordinary skill in the art at the

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time the invention was made to provide the teaching of Hurttar into the system of Niemela in order to use in a variety of applications.

As to claim 7, the claim is a system claim of claim 2; therefore, the claim is interpreted and rejected as set forth as claim 2.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Pinola (US 2002/0049061) teaches dynamic channel configuration of cellular radio network.

B.. Bader et al (US 2003/0161354) teaches system and method for transmitting and distributing audio or video data over a network system having multiple receivers.

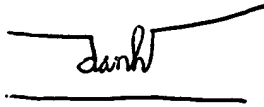
C. Sebastian et al (US 2003/0169720) teaches subscriber unit in a hybrid link incorporating spatial multiplex.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "danh", is written over a horizontal line.

July 22, 2005.

DANH CONG LE  
PATENT EXAMINER